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Attorneys for Defendant
WIRELESS LIFESTYLE, INC.

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

YASMIN MARTINEZ, individually and on
behalf of other persons similarly situated,

Plaintiff,

vs.

WIRELESS LIFESTYLE, INC.; and DOES
1 through 10,

Defendant.

No. 3:11-cv-05132-CRB

AMENDED

~~[PROPOSED]~~ ORDER GRANTING
DEFENDANT WIRELESS LIFESTYLE,
INC.'S EX PARTE APPLICATION TO
MODIFY BRIEFING SCHEDULE AND
HEARING DATE ON (1) MOTION TO
STAY PROCEEDINGS PENDING
RESOLUTION OF MOTION TO
TRANSFER TO MDL AND (2) MOTION
FOR REMAND TO STATE COURT

Judge Charles R. Breyer

After considering the papers and evidence submitted in support of Defendant Wireless Lifestyle, Inc.'s ("Wireless Lifestyle") Ex Parte Application to Modify Briefing Schedule and Hearing Date on (1) Motion to Stay Proceedings Pending Resolution of Motion to Transfer to MDL and (2) Motion for Remand to State Court ("Ex Parte Application"), the Court HEREBY GRANTS Wireless Lifestyle's Ex Parte Application.

There is good cause for granting Wireless Lifestyle's Ex Parte Application, as doing so will serve judicial economy, prevent prejudice to Wireless Lifestyle, eliminate the potential for conflicting pretrial rulings on issues common to the actions sought to be transferred to the MDL (including jurisdiction determinations), and ensure that the actions proceed in an orderly, coordinated fashion under the direction of the MDL court if they are transferred there. Any opposition brief to Defendant Wireless Lifestyle's Motion to Stay Action Pending Resolution of Motion to Transfer to MDL ("Stay Motion") will be due on November 22, 2011. Any reply brief in support of the Stay Motion will be due on November 28, 2011. The hearing on the Stay Motion will be on December 9th 2011 at 10:00 a.m.

The Court vacates the December 16, 2011 hearing on Plaintiff's Motion for Remand [Dkt 12] and orders that no briefs are due on Plaintiff's Motion for Remand. If the Stay Motion is denied, the Court will set a briefing and hearing schedule on Plaintiff's Motion for Remand.

IT IS SO ORDERED.

Dated: Nov. 15, 2011

